

MINUTES OF
CITY OF ANNA AGENDA NOTICE – CITY COUNCIL WORKSHOP

July 22, 2014

6:30 p.m. – Anna City Hall Administration Building

The City Council of the City of Anna met in Workshop Session at 6:30 p.m., July 22, 2014, at the Anna City Hall Administration Building, located at 111 N. Powell Parkway (Hwy 5), regarding the following items:

1. Call to Order.

Mayor Mike Crist called the meeting to order at 6:30 pm.

2. Roll Call and Establishment of Quorum.

Mayor Mike Crist and Council Members Lauren Lovato, John Beazley, Nathan Bryan and Dick Dowd were present. Council Members James T. Cook and Chad Barnes were absent.

3. Briefing/Discussion regarding the FY 2015 Draft Budget. (Clayton Fulton)

Clayton Fulton, Director of Finance presented the FY 2015 Draft Budget and answered question.

Council Member Bryan made the motion to enter closed session at 6:49 pm. Council Member Dowd seconded the motion. Motion passes.

AYE 5 NAY 0 ABSTAIN 0

4. CLOSED SESSION (EXCEPTIONS): Under Tex. Gov't Code Chapter 551, the City Council may enter into closed session to discuss any items listed or referenced on this agenda under the following exceptions:

- a. **consult with legal counsel regarding pending or contemplated litigation and/or on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code (Tex. Gov't Code §551.071);**
- b. **discuss or deliberate the purchase, exchange, lease, or value of real property (Tex. Gov't Code §551.072); acquisition of right-of-way, easements, and land for municipal facilities;**
- c. **discuss or deliberate Economic Development Negotiations: (1) To discuss or deliberate regarding commercial or financial information that the City has received from a business prospect**

that the City seeks to have locate, stay, or expand in or near the territory of the City of Anna and with which the City is conducting economic development negotiations; or (2) To deliberate the offer of a financial or other incentive to a business prospect described by subdivision (1). (Tex. Gov't Code §551.087); proposed residential and retail developments;

- d. discuss or deliberate personnel matters: City Secretary Update; Boards and Commissions.(Tex. Gov't Code §551.074).

The council further reserves the right to enter into executive session at any time throughout any duly noticed meeting under any applicable exception to the Open Meetings Act.

Council Member Bryan made the motion to return to open session at 7:28 pm. Council Member Lovato seconded the motion. Motion passes.

AYE 5 NAY 0 ABSTAIN 0

5. Consider/Discuss/Action on any items listed on posted agenda for July 22 2014 City of Anna City Council Regular Meeting or any Closed Session occurring during this Workshop, as necessary.

Council Member Bryan made the motion to take no action. Council Member Dowd seconded the motion. Motion passes.

AYE 5 NAY 0 ABSTAIN 0

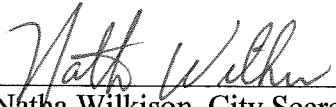
6. Adjourn.


Council Member Lovato made the motion to adjourn at 7:29 pm. Council Member Bryan seconded the motion. Motion passes.

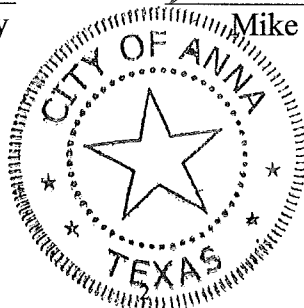
AYE 5 NAY 0 ABSTAIN 0

ATTEST:

APPROVED:


Natha Wilkison, City Secretary


Mike Crist, Mayor



MINUTES OF

CITY OF ANNA AGENDA NOTICE – CITY COUNCIL REGULAR MEETING

July 22, 2014

7:30 p.m. – Anna City Hall Administration Building

The City Council of the City of Anna met in Regular Session at 7:30 p.m., July 22, 2014, at the Anna City Hall Administration Building, located at 111 North Powell Parkway (Hwy 5), to consider the following items.

Welcome to the City Council Meeting. Please sign the Sign-In-Sheet as a record of attendance. If you wish to speak on an open-session agenda item please fill out the Opinion/Speaker Registration Form and turn it in to the City Secretary before the meeting starts.

1. Call to Order.

Mayor Mike Crist called the meeting to order at 7:30 pm.

2. Invocation and Pledge of Allegiance.

Mayor Mike Crist gave the invocation.

3. Citizen comments. *Citizens are allowed 3 minutes to speak. The Council is unable to respond to or discuss any issues that are brought up during this section that are not on the agenda, other than to make statements of specific factual information in response to a citizen's inquiry or to recite existing policy in response to the inquiry.*

None

4. Receive reports from Staff or the City Council about items of community interest. *Items of community interest include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen (but not including a change in status of a person's public office or public employment); a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.*

None

5. **Consent Items. *These items consist of non-controversial or "housekeeping" items required by law. Items may be considered individually by any Council member making such request prior to a motion and vote on the Consent Items.***

- a. **Approve City Council Minutes for June 24, 2014.**
- b. **Approve City Council Minutes for July 8, 2014.**
- c. **Approve a Resolution regarding a Subdivision Improvement Agreement for Oak Hollow, Phase 6A. (Maurice Schwanke)**
- d. **Review P & Z Minutes of June 2, 2014.**

Mayor Crist asked that item 5 (c) be removed for discussion. Council Member Bryan made the motion to approve consent items 5 (a, b and d). Council Member Dowd seconded the motion. Motion passes.

AYE 5 NAY 0 ABSTAIN 0

Maurice Schwanke, Director of Planning and Development presented the item to council and answered questions. Council Member Bryan made the motion to approve Item 5 (c). Council Member Dowd seconded the motion. Motion passes.

AYE 5 NAY 0 ABSTAIN 0

6. **(a) Public Hearing: To hear public comment on land use assumptions and capital improvement plan for proposed adoption of roadway impact fees and presentation by staff regarding same. (Maurice Schwanke)**

Maurice Schwanke, Director of Planning and Development presented the item to council and answered questions. Mr. Schwanke introduced the City's Consulting Engineer, Gary Birkhoff, who reviewed the Capital Improvement Plan. Mayor Crist opened the public hearing at 7:46 pm. No public comments were made. Mayor Crist closed the public hearing at 7:46 pm.

- (b) Consider/Discuss/Action approving a Resolution adopting Roadway Land Use Assumptions and Roadway Capital Improvement Plan. (Maurice Schwanke)**

Council Member Bryan made the motion to approve. Mayor Crist seconded the motion. Motion passes.

AYE 5 NAY 0 ABSTAIN 0

7. **Consider/Discuss/Action regarding approving a Resolution setting date for Roadway Impact Fee Public Hearing Date of September 9, 2014. (Maurice Schwanke)**

Maurice Schwanke, Director of Planning and Development presented the item to council and answered questions. Council Member Lovato made the motion to approve. Mayor Crist seconded the motion. Motion passes.

AYE 5

NAY 0

ABSTAIN 0

8. (a) **Public Hearing:** To consider public comments regarding an ordinance amending the Anna Code of Ordinances by amending Part III-C (Zoning Ordinance), Section 35 by adding Section 35.05(f)5 (Masonry Content). (Maurice Schwanke)

Maurice Schwanke, Director of Planning and Development presented the item to council and answered questions. Mayor Crist opened the public hearing at 7:53 pm. There was no public comment. Mayor Crist closed the public hearing at 7:54 pm.

- (b) **Consider/Discuss/Action regarding an ordinance amending the Anna Code of Ordinances by amending Part III-C (Zoning Ordinance), Section 35 by adding Section 35.05(f)5 (Masonry Content). (Maurice Schwanke)**

Council Member discussed the item and asked for more pictures representing the complaints being received regarding this issue.

Mayor Crist opened the public hearing at 7:58 pm. The public hearing will be continued at the next regular scheduled meeting on August 12, 2014.

Council Member Bryan made the motion to table this item. Council Member Beazley seconded the motion. Motion passes.

AYE 5

NAY 0

ABSTAIN 0

9. **Consider/Discuss/Action regarding the approval of a resolution approving a special event application submitted by Karen Adams, owner of Daddy Rex's Twisted Barbeque representing the "Anna Athletic Booster Club" concerning the request to have a "Fundraiser 5K and Family 1K fun walk on Saturday, September 20, 2014 from (10:00 a.m. to 9:00 p.m. starting at Slayter Creek Park (route Attached). (Maurice Schwanke)**

Maurice Schwanke, Director of Planning and Development presented the item to council and answered questions. Karen Ahrens, owner of Daddy rex's Twisted Barbeque spoke in favor of the special event. Council Member Lovato made the motion to approve. Council Member Beazley seconded the motion. Motion passes.

AYE 5

NAY 0

ABSTAIN 0

10. **Consider/Discuss/Action regarding a Resolution approving a Development Agreement with Fellowship of Plano. (City Manager)**

Philip Sanders, City Manager presented the item to council and answered questions. Council Member Bryan made the motion to approve. Council Member Dowd seconded the motion. Motion passes.

AYE 5

NAY 0

ABSTAIN 0

11. Consider/Discuss/Action regarding a Resolution finding a public necessity and authorizing the use of eminent domain to condemn private property owned by Troy Queen and Floella Queen and/or others for a sewer and trail easement. (City Manager)

Philip Sanders, City Manager presented the item to council and answered questions. Mayor Crist made the motion "I move that the City of Anna, Texas authorize the use of the power of eminent domain to acquire 0.187 acres of land, more or less, in the Joseph Schluter Survey, Abstract No. 856, City of Anna, Collin County, Texas, said tract described in a deed to Troy Queen and wife, Floella Queen, recorded in Volume 5707, Page 4433 of the Official Public Records of Collin County, Texas (OPRCCT), said 0.187 acres of land being more particularly described by the metes and bounds description set forth in Exhibit "A" to this resolution, which I incorporate in full into my motion, for a sewer and trail easement." Council Member Bryan seconded the motion. Motion passes.

AYE 5 NAY 0 ABSTAIN 0

12. Consider/Discuss/Action regarding a resolution finding a public necessity and authorizing the use of eminent domain to condemn private property owned by Troy Queen and Floella Queen and/or others for public right-of-way associated with alterations to Ferguson Parkway. (City Manager)

Phillip Sanders, City Manager presented the item to council and answered questions. Mayor Crist made the motion "I move that the City of Anna, Texas authorize the use of the power of eminent domain to acquire 0.574 acres of land, more or less, in the Joseph Schluter Survey, Abstract No. 856, City of Anna, Collin County, Texas, said tract described in a deed to Troy Queen and wife Floella Queen, recorded in Volume 5707, Page 4433 of the Official Public Records of Collin County, Texas (OPRCCT), said 0.574 acres of land being more particularly described by the metes and bounds description set forth in Exhibit "A" to this resolution, which I incorporate in full into my motion, for roadway right-of-way." Council Member Dowd seconded the motion. Motion passes.

AYE 5 NAY 0 ABSTAIN 0

13. Consider/Discuss/Action regarding appointments/reappointments to the Planning and Zoning Commission. (City Council)

Mayor Crist presented the item to council. Mayor Crist made the motion to reappoint Tiffany Burleson, Place 2; Justin Burr, Place 4, and Darrin Colombo, Place 6. Council Member Bryan seconded the motion. Motion passes.

AYE 5 NAY 0 ABSTAIN 0

14. Consider/Discuss/Action regarding appointments /reappointments to the Park Advisory Board. (City Council)

Mayor Crist presented the item to council. Mayor Crist made the motion to reappoint Rachel Lyon, Place 4. Council Member Lovato seconded the motion. Motion passes.

AYE 5 NAY 0 ABSTAIN 0

Mayor Crist requested this item be placed on the next agenda.

15. Consider/Discuss/Action regarding appointments/reappointments to Anna Economic Development Corporation. (City Council)

Mayor Crist presented the item to council. Applicants introduced themselves and answered questions from council members. Council Member Lovato made the motion to enter closed session at 8:30 pm. Mayor Crist seconded the motion. Motion passes.

AYE 5 NAY 0 ABSTAIN 0

Council Member Dowd made the motion to return to open session at 8:56 pm. Council Member Lovato seconded the motion. Motion passes.

AYE 5 NAY 0 ABSTAIN 0

Council Member Lovato nominated Jeffrey Sykes for Place 2. Mayor Crist seconded the nomination. Motion fails.

AYE 2 NAY 3 ABSTAIN 0

Council Member Bryan nominated Doug Hermann for Place 2. Council Member Dowd seconded the motion. Motion passes. Doug Hermann will serve in Place 2.

AYE 4 NAY 0 ABSTAIN 0

Council Member Beazley nominated Stan Carver for Place 2. Council Member Bryan seconded the motion. Motion fails. No vote taken.

Mayor Crist nominated Connie Stump, Place 4 and Sherilyn Godfrey, Place 6 for reappointment. Council Member Beazley seconded the nomination. Council Member Bryan nominated Jeffrey Sykes for Place 6. Council Member Dowd seconded the nomination.

Connie Stump, Place 4 was reappointed by a vote of:

AYE 5 NAY 0 ABSTAIN 0

Jeffrey Sykes Place 6 was appointed by a vote of:

AYE 5 NAY 0 ABSTAIN 0

Sherilyn Godfrey was not reappointed by a vote of:

AYE 1 NAY 4 ABSTAIN 0

16. Consider/Discuss/Action regarding appointments/reappointments to Anna Community Development Corporation. (City Council)

Mayor Crist presented the item to council. Mayor Crist made the motion to appoint Doug Hermann to Place 2. Council Member Beazley seconded the motion. Motion passes.

AYE 5 NAY 0 ABSTAIN 0

Mayor Crist nominated Connie Stump Place 4 for reappointment and Jeffrey Sykes place 6 for appointment. Council Member Bryan seconded the nominations.

AYE 5 NAY 0 ABSTAIN 0

17. Consider/Discuss/Action regarding appointments/reappointments to the Board of Adjustments. (City Council)

Mayor Crist presented the item to council. There were no applicants at this time. This item will be brought back for council consideration on their next agenda.

Council did not go into closed session at this time.

18. CLOSED SESSION (EXCEPTIONS): Under Tex. Gov't Code Chapter 551, the City Council may enter into closed session to discuss any items listed or referenced on this agenda under the following exceptions:

- a. consult with legal counsel regarding pending or contemplated litigation and/or on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code (Tex. Gov't Code §551.071);
- b. discuss or deliberate the purchase, exchange, lease, or value of real property (Tex. Gov't Code §551.072); acquisition of right-of-way; easements; and land for municipal facilities;
- c. discuss or deliberate Economic Development Negotiations: (1) To discuss or deliberate regarding commercial or financial information that the City has received from a business prospect

that the City seeks to have locate, stay, or expand in or near the territory of the City of Anna and with which the City is conducting economic development negotiations; or (2) To deliberate the offer of a financial or other incentive to a business prospect described by subdivision (1). (Tex. Gov't Code §551.087); proposed residential and retail developments;

- d. discuss or deliberate personnel matters: City Secretary Update; Boards and Commissions.(Tex. Gov't Code §551.074).

The council further reserves the right to enter into executive session at any time throughout any duly noticed meeting under any applicable exception to the Open Meetings Act.

19. Consider/Discuss/Action on any items listed on posted agenda for July 22, 2014 Workshop Session or any closed session occurring during this Regular Meeting, as necessary.

Council Member Bryan made the motion to take no action. Council Member Lovato seconded the motion. Motion passes.

AYE 5 NAY 0 ABSTAIN 0


20. Adjourn.


Council Member Beazley made the motion to adjourn at 9:07 pm. Council Member Lovato seconded the motion. Motion passes.

AYE 5 NAY 0 ABSTAIN 0

ATTEST:

APPROVED:


Natha Wilkison, City Secretary


Mike Crist, Mayor

